



# 22nd Annual Entertainment Law Institute

**LIVE  
Austin**

October 25-26, 2012  
Mansion at Judges' Hill

**Topic Highlights:**

- How to Build an Entertainment Law Practice
- Copyright Terminations and Reversions
- Royalty Revenue from Digital Distribution
- Reality Television Program Production
- Pitfalls in Financing Film and Entertainment Projects



Poster Art for Frank Zappa concert at the Armadillo World Headquarters, Austin,  
September 13, 1977, by Guy Juke.



Course materials available on a USB drive

**MCLE CREDIT | 14 HOURS (1 ETHICS)**

TexasBarCLE presents the 22nd Annual

# Entertainment Law Institute

Cosponsored by the Entertainment and Sports Law Section of the State Bar of Texas



## LIVE Austin

October 25-26, 2012  
Mansion at Judges' Hill

Register by October 11, 2012 and  
**save \$50!**

Entertainment and Sports Law  
Section members can **save \$75!**



#TBCLEli

### MCLE CREDIT

#### 14 HOURS (1 ETHICS)

**MCLE COURSE NO: 901248388**

Applies to the College of the State  
Bar of Texas.

#### CPE Credit

TexasBarCLE is registered with the  
Texas Board of Public Accountancy  
to offer courses. The State Bar's  
continuing education sponsor I.D.  
number is 135. Since CPE credit is  
calculated on a 50-minute hour, this  
course totals 16.75 hours.

## Thursday

7 hours including 1 hour ethics

7:45 **Registration**  
**Coffee & Pastries Provided**

8:35 **Welcoming Remarks**  
**Course Director**  
Mike Tolleson, *Austin*  
Mike Tolleson & Associates

8:45 **Ethics: Lawyers Doing Business  
with Their Clients** 1 hr ethics  
Ricky Anderson, *Houston*  
Attorney at Law  
Anderson & Smith

W. Amon Burton, Jr., *Austin*  
Attorney at Law

Deena B. Kalai, *Austin*  
Deena Kalai, PLLC

9:45 **Music for Sports Programming –  
How Sports Networks Select Their  
Music and Structure Licensing  
Deals** .5 hr  
Claude Mitchell, *Bristol, CT*  
ESPN

Steven Winogradsky, *Studio City, CA*  
Winogradsky/Sobel

10:15 **Break**

10:30 **The Modern Entertainment Law  
Office** .75 hr  
J. Craig Barker, *Austin*  
Law Office of Craig Barker

Tamera H. Bennett, *Lewisville*  
Bennett Law Office

Amy E. Mitchell, *Austin*  
Attorney & Mediator at Law

11:15 **Building an Entertainment Law  
Practice** .75 hr  
Ricky Anderson, *Houston*  
Attorney at Law  
Anderson & Smith

Deena B. Kalai, *Austin*  
Deena Kalai, PLLC

12:00 **Break - Lunch Provided**

12:15 **Texas Star Award Presentation**

12:30 **Luncheon Presentation:**  
**Digital Music: How We Got Here  
and Where Are We Going?** .5 hr  
Steven Winogradsky, *Studio City, CA*  
Winogradsky/Sobel

1:00 **Break**

1:15 **Electronic Games – Hot Topics in  
Video Game Law, from Patent  
Trolls to Gambification** 1 hr  
Sean F. Kane, *New York, NY*  
Pillsbury Winthrop Shaw Pittman

2:15 **Financing/Securities: Legal and  
Business Pitfalls in Financing Film  
& Entertainment Projects** 1 hr  
Corky Kessler, *Chicago, IL*  
Deutsch, Levy & Engel, Chartered

3:15 **Break**

3:30 **International Music Marketing:  
Record Licensing and Distribution/  
Band Touring Abroad** 1.5 hr  
**Moderator**  
Mike Tolleson, *Austin*  
Mike Tolleson & Associates

Jeffrey Liebenson, *New York, NY*  
Liebenson Law

Casey Monahan, *Austin*  
Texas Music Office

Benom Plumb, *Nashville, TN*  
Bluewater Music

Preston Sullivan, *Nashville, TN*  
Global Eyes Entertainment

5:00 **Adjourn**

## Friday

7 hours

8:00 **Coffee & Pastries Provided**

8:25 **Announcements**

8:30 **Recent Court Decisions Affecting the Entertainment Industry** 1 hr

Stan Soocher, Esq., *Denver, CO*  
Editor-in-Chief, "Entertainment Law & Finance" and Associate Professor, Music & Entertainment Industry Studies  
University of Colorado Denver

9:30 **Confronting Confounding Issues in Termination Rights: Analysis and Guidance for the Practitioner** 1 hr

Michael Perlstein, *Los Angeles, CA*  
Fischbach, Perlstein, Lieberman & Almond

10:30 **Break**

10:45 **Royalty Revenue from Digital Distribution of Music and Sound Recordings** 1 hr

**Moderator**

Steven Winogradsky, *Studio City, CA*  
Winogradsky/Sobel

Brad Prendergast, *Washington, D.C.*  
Senior Counsel for Licensing & Enforcement  
Sound Exchange

Jay Rosenthal, Esq., *Washington, D.C.*  
Senior VP and General Counsel, National Music Publisher's Association

11:45 **Case Study: Publishing Income Sources of a Hit Record – An Examination of the Variety of Ways a Hit Song Makes Money for Its Writers and Publishers** .5 hr

Steven Winogradsky, *Studio City, CA*  
Winogradsky/Sobel

12:15 **Lunch on Your Own**

1:15 **Book Publishing in the E-Book Era** 1 hr

Michael Rudell, *New York, NY*  
Franklin, Weinrib, Rudell & Vassallo

2:15 **Today's Contract, Tomorrow's Lawsuit – Entertainment Contracts from the Litigator's Perspective** 1 hr

Sally Helppie, *Dallas*  
Vincent Lopez Serafino Jenevein

Emilio B. Nicolas, *Austin*  
Jackson Walker

3:15 **Break**

3:30 **Covering Your Bases – The Producer's Film and Television Insurance Checklist** .5 hr

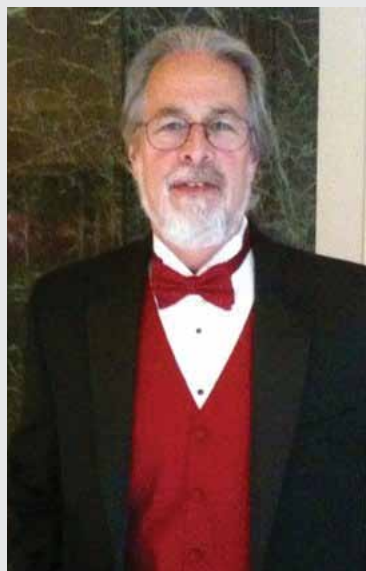
Andy Lott, *Birmingham, AL*  
Insurance Office of America

4:00 **Negotiating Reality Television Production Agreements** 1 hr

Evan Fogelman, *Dallas*  
Fogelman Literary Agency

Karen Grant-Selma, *Sherman Oaks, CA*  
ITV Studios

5:00 **Adjourn**



## 2012 Texas Star Award Recipient STEVEN WINOGRADSKY

STEVE WINOGRADSKY is a partner in Winogradsky/Sobel in Studio City, California, providing global media and music business affairs & legal support for composers, songwriters, music publishers, recording artists and television, film, video and multi-media producers.

Prior to being in solo practice with The Winogradsky Company, Mr. Winogradsky was employed by Hanna-Barbera Productions, Inc., MCA Home Entertainment, Universal Pictures and Universal Television and The Clearing House, Ltd.

He was twice elected President of the California Copyright Conference, after spending nine years on the Board of Directors, and also served for four

years as President of The Association of Independent Music Publishers.

Mr. Winogradsky was named as one of the Outstanding Instructors in Entertainment Studies and Performing Arts at UCLA Extension, where he has taught since 1997. He has written numerous magazine articles on the subject of music for motion pictures and television and has lectured on a variety of music-related topics at various symposia, with 2012 being his 20th consecutive year of presenting at the Texas Bar Entertainment Law Institute.

He is also the author of the upcoming book, *Music Publishing: The Complete Guide*, to be released in early 2013.

For its generous support of this program, **TexasBarCLE** and the Entertainment and Sports Law Section of the State Bar of Texas recognize and thank:

# BMI®

### Course Director

Mike Tolleson.....Austin

### Planning Committee

J. Craig Barker .....Austin  
Tamera H. Bennett ..... Dallas  
Mitzi Brown ..... Dallas  
Craig Crafton..... Dallas  
Ed Fair .....Austin  
Sally Helppie ..... Dallas  
Catherine Hough ..... Plano  
Buck McKinney .....Austin  
Amy E. Mitchell.....Austin  
Emilio B. Nicolas.....Austin  
Prof. Stan Soocher, Esq. .... Denver, CO  
Steven Winogradsky ..... Studio City, CA



## Ways to Save on This Course!

### Register by October 11, 2012 and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for pre-registrants until the start of the first topic.

### Entertainment and Sports Law Section Members Can Save \$75

by registering by October 11, 2012 (thereafter, save \$25). Not a member? To join, e-mail [sections@texasbar.com](mailto:sections@texasbar.com) or phone 800-204-2222, x1425. Please do not send Section membership payment with your registration fee.

### Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle of TexasBarSolutions at 512-250-5575 or [laura.angle@texasbar.com](mailto:laura.angle@texasbar.com).

### Need Financial Assistance to Attend?

TexasBarCLE makes a limited number of scholarships available for attendance at live courses and selected video replays of live courses. To apply for a scholarship or to learn more, call Mon-Fri 8am-5pm CT to Sara at 800-204-2222, x1490. Please apply at least four weeks prior to the event.

### Active State and Texas-Area Federal Judges and Their Court Staff Attorneys May Attend for Free, Provided:

(1) the course directly relates to the judge's tribunal's jurisdiction, (2) the judge is a full-time judge or retired under the Texas Judicial Retirement System and (3) space is available for all paying registrants. This privilege does not extend to receivers, trustees, other court staff, or persons serving part-time in a judicial capacity. Actual attendance is required in order to receive course materials.

### Parking Information

is subject to change and does not guarantee available space. AUSTIN: Self-parking is available at a daily rate of \$8 or \$15 for overnight guests.

### If You Need Special Accommodations to Attend,

please contact us as soon as possible at 800-204-2222, x1797.

### Registered But Can't Attend? Still Earn MCLE Credit

by taking the course online later, in which case you'll automatically be sent the course materials; see "FREE TO OUR REGISTRANTS!" below. However, if you wish a refund instead, mail or fax (512-427-4443) your request so that we receive it at least one business day before the program.

### FREE TO OUR REGISTRANTS!

**Online Videos and MP3s of the Topics, as Well as PDFs of Course Materials,** will be available to registrants 6-8 weeks after the course. Provide your e-mail address when preregistering to be notified when and how these benefits may be accessed. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!

### Interested in Sponsoring or Exhibiting at This Course or Others?

Contact Kanice Spears at 512-427-1404 or [kanice.spears@texasbar.com](mailto:kanice.spears@texasbar.com).

### Tweet About This Course! Include hashtag #TBCLEeli

### Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.



### ABOUT THE COVER ARTIST

Guy Juke has been an Austin based graphic artist and musician since he moved there from San Angelo in 1973.

As a poster artist he created many memorable works of art for the Armadillo World Headquarters, the *Austin Chronicle* Music Awards, Carnaval, and other venues.

His work is recognized for its darkly detailed, often shadowy and angular figures inspired by horror films, haunting western landscapes, and loopy cartoon characters.

## Reserve Your Hotel Room by October 3

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, contact the hotel and indicate that you will be attending this State Bar of Texas course.

### AUSTIN Live

#### Mansion at Judges' Hill

1900 Rio Grande Street

Austin, TX 78705

(512) 495-1800

\$179 single/double

**Deadline: October 3**



The reserved block of rooms may fill up before the deadline. Act now!

### TexasBarCLE Planning Team

Kandi Botello.....Program Planner  
Jillison Hicks.....Program Coordinator  
Skylor Williams.....Program Coordinator Asst.

### Entertainment and Sports Law Section of the State Bar of Texas

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Catherine Hough.....Chair-Elect  
Craig Crafton.....Secretary  
Amy E. Mitchell.....Treasurer  
Mitzi L. Brown.....Immediate Past-Chair

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## Online

TexasBarCLE.com  
credit card only

## Phone

800-204-2222, x1574  
during business hours  
credit card only

## Fax

512-427-4443  
credit card only

## Mail

State Bar of Texas - CLE  
LB #972298  
P. O. Box 972298  
Dallas, TX 75397-2298  
check or credit card

## Registering five or more?

E-mail Laura Angle at  
laura.angle@texasbar.com  
for group discount  
information.

Save up to **\$75!**

**Entertainment Law Institute**

8095

**1**

### Entertainment Law Institute

[8095]

☐ **Austin LIVE, October 25-26** . . . . . **\$495**

**Take \$50 OFF:** Register by **October 11, 2012**

#### Extra benefits of your registration:

- Coffee and pastries provided each morning
- Special luncheon on Thursday
- Complimentary internet signal in the meeting room

#### I may attend complimentary because:

I am ☐ a qualifying judge or ☐ court staff attorney (see p. 4).

☐ I am a State Bar College Gold Member  
(Questions? Visit [texasbarcollege.com](http://texasbarcollege.com))

**2**

### I want my course materials format to be:

- ☐ Electronic materials (PDFs on a USB drive)  
☐ Hard-copy materials (1 notebook)  
☐ BOTH so I'll **ADD \$80**

**3**

### I'm entitled to 1 or 2 discounts on the course:

☐ **\$50 OFF** because I'm registering by October 11, 2012. (If by mail, date of postmark will be determinative.)

**\$25 OFF** because (choose 1 box only) I'm a member of the

- ☐ Entertainment and Sports Law Section  
☐ State Bar College Classic or Silver Membership  
☐ Legal Administrators or Paralegal Division

OR ☐ I am licensed 2 years or less.

**4**

### I can't attend. Just send course materials.\*

#### FREE Shipping & Handling

Entertainment Law ☐ Book ☐ USB drive . . . . \$155 each<sup>†</sup>

For information on audio CDs of course topics, contact our DVD CLE service at 800-204-2222, x1575. MP3 files of the topics will be downloadable from [TexasBarCLE.com](http://TexasBarCLE.com) 6-8 weeks after the course.

**5**

### My total is \$\_\_\_\_\_. I am paying by:

☐ Check (enclosed) payable to the State Bar of Texas for \$\_\_\_\_\_

☐ Visa ☐ MasterCard ☐ AMEX ☐ Discover

**PLEASE PRINT LEGIBLY** Account No. \_\_\_\_\_ Exp. Date \_\_\_\_\_

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Phone ( ) \_\_\_\_\_ Fax ( ) \_\_\_\_\_

E-Mail: \_\_\_\_\_

A confirmation of your registration will be sent to the e-mail address you provide.

*\*PDFs of course materials will be available for purchase 6-8 weeks after the course in the Online Library at [TexasBarCLE.com](http://TexasBarCLE.com). Registrants receive access to the PDFs at no additional charge (see "Free to Our Registrants" on p. 4).*

*<sup>†</sup>Plus 8.25% sales tax on total. Please include sales tax or attach an exemption certificate. Book and USB orders are shipped separately and filled 4-6 weeks after the live program. A bill will be sent unless a credit card charge is authorized on this form.*

#### QUESTIONS?

**800-204-2222, x1574 • 512-427-1574**

State Bar of Texas  
P.O. Box 12487  
Austin, TX 78711-2487

**22nd Annual Entertainment Law Institute**  
LIVE October 25-26, 2012 Austin

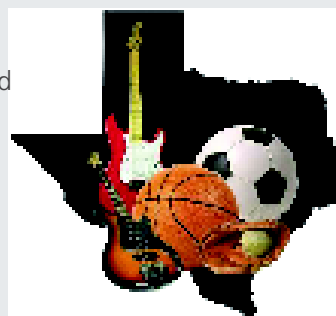
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## Join the **Entertainment and Sports Law Section**

**F**ormed in 1989, the Entertainment and Sports Law Section has over 500 members. The Section is directed at lawyers who devote a portion of their practice to entertainment and/or sports law and seeks to educate its members on recent developments in entertainment and sports law. Membership in the Section is also available to non-lawyers who have an interest in these areas.

The Entertainment & Sports Law Journal, published twice a year by the Section, contains articles and information of professional and academic interest relating to entertainment, sports, intellectual property, art, and related areas. The Section also cosponsors seminars of interest to its members, such as this annual Entertainment Law Institute.

Membership in the Section is from June 1 to May 31. To join, go to [TexasBar.com](http://TexasBar.com) and login to MyBarPage. There you will see "My Sections" and a chance to click on "Purchase Sections." Check "Entertainment & Sports Law" and pay the \$30 annual fee with a credit card. Or complete the information below and forward it with a check in the amount of \$30.00 (made payable to ENTERTAINMENT & SPORTS LAW SECTION) to Sandra Carlson, P.O. Box 12487, Capitol Station, Austin, TX 78711.



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Continue your legal education and industry insight by making plans to attend the **19th Annual Austin Film Festival and Conference** (October 18-25).

Check out **[AustinFilmFestival.com](http://AustinFilmFestival.com)** or call **1-800-310-FEST (3378)** for more information.